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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 DATAQUILL LIMITED,

12 Plaintiff,

13 vs.

14 HIGH TECH COMPUTER CORP.,

15 Defendant.

CASE NO. 08cv543-IEG(LSP)

Order Granting Ex Parte Application
for Issuance of Letter Rogatory [Doc.
No. 4]

16 Plaintiff DataQuill Limited moves the Court for issuance of Letters Rogatory directed to
17 the appropriate judicial authority of Taiwan so that service of the summons and complaint in this
18 action can be effected upon Defendant within that country. The Court GRANTS Plaintiff's
19 application.

20 Pursuant to Fed. R. Civ. P. 4(f), an individual who is outside the United States may be
21 served as follows:

22 (1) by any internationally agreed means of service that is reasonably calculated to
23 give notice, such as those authorized by the Hague Convention on the Service
Abroad of Judicial and Extrajudicial Documents;

24 (2) if there is no internationally agreed means, or if an international agreement allows but
25 does not specify other means, by a method that is reasonably calculated to give notice:

26 * * *

27 (B) as the foreign authority directs in response to a letter rogatory or letter of
28 request;

Taiwan is not a party to the Hague Convention. Taylor Made Golf Co., Inc. v. Carsten Sports,

1 Ltd., 175 F.R.D. 658, 661 (S.D. Cal. 1997); In re Air Crash, 211 F.R.D. 374, 380 (C.D. Cal. 2002).

2 As a result, Plaintiff may effect service by way of letter rogatory as provided in Fed. R. Civ. P.


3 4(f)(2)(B). See U.S. Department of State, Taiwan Judicial Assistance, *available at*

4 www.travel.state.gov/law/info/judicial/judicial_669.html. Plaintiff's application is GRANTED.

5 Plaintiff should forward directly to Judge Gonzalez's chambers an original and certified
6 Mandarin Chinese translation of the letter, to be signed and sealed by the Clerk.

7 **IT IS SO ORDERED.**

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10 **DATED: September 9, 2008**

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12 IRMA E. GONZALEZ, Chief Judge
13 United States District Court
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